

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE PUBLIC UTILITIES COMMISSION

In the Matter of the Complaint of  
Level 3 Communications, LLC,  
Against Qwest Corporation  
Regarding Compensation for ISP-  
Bound Traffic

**THIRD PREHEARING ORDER**

This matter came before Administrative Law Judge Kathleen D. Sheehy on the cross motions for summary disposition filed by Level 3 and Qwest. Based on the briefs filed by the parties, it appears the parties agree that there are no factual issues that require an evidentiary hearing and that the legal issues raised in this matter are appropriate for summary disposition.

Gregory Merz, Esq., Gray Plant Mooty, 500 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402-3796, appeared for Level 3.

Jason Topp, Esq., Qwest Corporation (Qwest) Law Department, 200 South Fifth Street, Room 2200, Minneapolis, MN 55402, appeared for Qwest.

Linda S. Jensen, Assistant Attorney General, Suite 1400, 445 Minnesota Street, St. Paul, MN 55101-2131, appeared for the Department of Commerce (Department).

Based on the files and proceedings herein, the Administrative Law Judge makes the following:

**ORDER**

The evidentiary hearing scheduled to take place January 17, 2005, is continued indefinitely. If necessary, an evidentiary hearing will be scheduled after a recommended decision is issued on the cross motions for summary disposition.

Dated this 5th day of January, 2006.

s/Kathleen D. Sheehy  
KATHLEEN D. SHEEHY  
Administrative Law Judge

